

#22

PATENT
Docket No. 304142000201

CERTIFICATE OF FACSIMILE TRANSMISSION

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Mei Leung

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Malaya CHATTERJEE, et al.

Serial No.: 09/293,533

Filing Date: April 15, 1999

For: MONOCLONAL ANTIBODY 1A7 AND
USE FOR THE TREATMENT OF
MELANOMA AND SMALL CELL
CARCINOMA

Examiner: L. Helms

Group Art Unit: 1642

PETITION TO WITHDRAW
HOLDING OF ABANDONMENT UNDER 37 CFR § 1.181(a)Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

A Notice of Abandonment was received for the above referenced patent application (paper no. 20). The notice states that the application is abandoned in view of Applicants' failure to timely pay the issue fee, and further states that the issue fee has not been received. Attached are documents showing that the issue fee was due on May 21, 2002, and indicating that the issue fee was timely paid and that it was received by the Office on May 21, 2002. Applicants hereby request withdrawal of the holding of abandonment.

Attached is a copy of the Issue Fee Transmittal (Form PTOL-85) and the duplicate copy for fee processing from Applicants' file. The form includes a certificate of mailing by express

mail, indicating that the transmittal was deposited with the U.S. Postal Service and mailed by express mail on May 21, 2002, the date on which the issue fee was due. Applicants' representative intended the fee to be paid via their deposit account, as indicated by the deposit account number filled in in the blank in section 4b, and by the fact that a duplicate copy of the transmittal was enclosed for fee processing. Accordingly, the issue fee was timely paid.

Also attached is a copy of the postcard received back from the Patent and Trademark Office, indicating receipt of the Issue Fee Transmittal on May 21, 2002, the date on which it was due. Accordingly, the issue fee was received by the Patent and Trademark Office.

In view of the foregoing, Applicants request withdrawal of the holding of abandonment.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, to Deposit Account No. 03-1952 referencing docket number 304142000201.

Dated: August 1, 2002

By:



Catherine M. Polizzi
Registration No. 40,130

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5651
Facsimile: (650) 494-0792

PART B - FEE(S) TRANSMITTAL

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MAILING INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

02/21/2002

CATHERINE M POLIZZI
MORRISON & FOERSTER LLP
755 PAGE MILL ROAD
PALO ALTO, CA 943041018

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Tamaras

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/293.533	04/15/1999	MALAYA CHATTERJEE	304142000201	5003

TITLE OF INVENTION: MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT OF MELANOMA AND SMALL CELL CARCINOMA

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
47	nonprovisional	YES	\$640	\$0	\$640	05/21/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
HELMS, LARRY RONALD	1642	424-093100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Morrison & Foerster LLP

2

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

The Board of Trustees of the
University of Kentucky

Lexington, Kentucky

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 6

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 03-1952 (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Catherine M. Polizzi (Date) Reg. # 40,130

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ATTORNEY DOCKET: 304142000201

SERIAL NO.: 09/293,533

MAILING DATE: May 21, 2002

FILING DATE: April 15, 1999

ATTY/Secy: JAJ5/myl1

INVENTOR(S): Malaya CHATTERJEE, et al.

TITLE: MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT OF MELANOMA
AND SMALL CELL CARCINOMA

Papers enclosed herewith:

1. Issuc Fcc Transmittal (original + 1 for fce proccssing (2 pages total))

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mc

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MORRISON & FOERSTER LLP

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To: **Mr. Frederick Briscoe**
USPTO

Facsimile: (703) 305-8755
Phone: (703) 305-5340

From: Jill A. Jacobson

Date: August 1, 2002

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Comments:

Re: U.S. Patent Application Serial No.: 09/293,533
For: MONOCLONAL ANTIBODY 1A7 AND USE FOR THE TREATMENT
OF MELANOMA AND SMALL CELL CARCINOMA
By: Malaya CHATTERJEE, et al.
Attorney Docket No.: 304142000201

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

7

Application Number

09/293,533

Filing Date

April 15, 1999

First Named Inventor

Malaya CHATTERJEE

Group Art Unit

1642

Examiner Name

L. Helms

Attorney Docket No.

304142000201

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☒ Petition (2 pages)☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to
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Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
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- Copy of form PTOL-85 (1 page)

- Copy of form PTOL-85 stamped "Duplicate
Copy for Fee Processing" (1 page)- Copy of Return Receipt Postcard stamped
received by the PTO dated May 21, 2002 (1
page)

- Facsimile Transmittal Coversheet (1 page)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

or

Individual Name

Catherine M. Polizzi (Reg. No. 40,130)

Signature



Date

August 1, 2002

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Mel Leung

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